



# County of San Diego

## LAND USE AND ENVIRONMENT GROUP

CHANDRA L. WALLAR  
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August 27, 2009

TO: Supervisor Dianne Jacob, Chairwoman  
Supervisor Pam Slater-Price, Vice Chairwoman  
Supervisor Greg Cox  
Supervisor Ron Roberts  
Supervisor Bill Horn

FROM: Chandra L. Wallar  
Deputy Chief Administrative Officer

### **MARIJUANA DISPENSARY INTERIM URGENCY MORTORIUM ORDINANCE REPORT**

On August 5, 2009 (6), your Board took action enacting an interim urgency moratorium ordinance on the establishment of marijuana dispensaries. The interim urgency ordinance would allow County staff the time needed to study how marijuana dispensaries should be permitted and determine the appropriate regulations for such uses before they are presented to your Board for consideration.

Pursuant to Section 65858 of the California Government Code, the initial duration of such an urgency ordinance is an interim period of 45 days. Section 65858 permits an extension, following notice and public hearing, for a period of 10 months and 15 days. This action to extend the interim urgency moratorium is set to come to your Board on September 16, 2009.

Section 65858 also requires that 10 days prior to the expiration of the interim ordinance, or any extension, that your Board issue a written report describing the measures being taken to alleviate the condition which led to the adoption of the interim ordinance. On behalf of your Board, this memo serves as a report describing what is currently taking place to address the need for a moratorium prohibiting marijuana dispensaries.

Since the moratorium was enacted, a work group has been formed consisting of staff from the Department of Planning and Land Use (DPLU), County Counsel, Sheriff's Department and the District Attorney's office, which will work on development of an effective and enforceable ordinance. Staff have agreed to an approach as to the organization of the proposed regulatory documents and Departmental duties in regulating marijuana dispensaries. The ordinance framework will likely consist of Zoning Ordinance amendments regulating the location and siting of dispensaries and Regulatory Code changes establishing Sheriff's licensing procedures and requirements regulating the operation of said facilities.

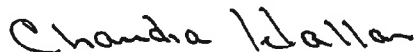
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Staff has prepared a proposed work plan which estimates that the ordinance can be brought back before your Board before the 10 month and 15 day period provided in statute. The time needed to bring the ordinance forward takes into account the necessary time required to draft the ordinance, internal and external review, public comment, the Planning Commission hearing and Board letter docketing.

This memo will be available for public viewing on the Department of Planning and Land Use Advance Planning website in order to satisfy the requirements of Section 65858 of the Government Code.

If I can be of further assistance, please contact me or Jeff Murphy, DPLU Deputy Director at (858) 694-3765.

Respectfully,

A handwritten signature in cursive script that reads "Chandra Wallar".

CHANDRA L. WALLAR  
Deputy Chief Administrative Officer